

## Privacy statement

This Privacy Notice explains how particular companies of the Marden Group collect, use and disclose your personal data, and your rights in relation to the personal data it holds.

Marden Group (in this Privacy Notice, “us”, “we” and “our”) is the data controller of your personal data and is subject to the EU General Data Protection Regulation 2016/679 and the Personal Data Privacy Ordinance (Cap. 486).

This Privacy statement replaces any previous Privacy statement or equivalent which you may have been provided with or seen prior to May 25, 2018.

### Your rights

Under the AVG/GDPR you have the following rights:

- **Right of access:** you have the right to know if we are using your information and, if so, the right to access it and information about how we are using it;
- **Right of rectification:** you have the right to require us to rectify any errors in the information we hold about you;
- **Right to erasure:** you have the right to require us to delete your information if our continued use is not justified;
- **Right to restrict processing:** in some circumstances, although you may not be entitled to require us to erase your information, but may be entitled to limit the purposes for which we can use your information;
- **Right of data portability:** you have the right to require us to provide you with a copy of your information in a reasonable format, including for the purpose of you transmitting that personal data to another data controller.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply.

To find out more about your rights, reference is made to <https://autoriteitpersoonsgegevens.nl/en>.

### How we collect your data

We collect your personal data in a number of ways, for example:

- From the information you provide to us when you meet us;
- From information about you provided to us by your company or an intermediary;
- When you communicate with us by telephone, fax, email or other forms of electronic communication. In this respect, we may monitor, record and store any such communication;
- When you complete client on-boarding or application or other forms;
- From other companies in the Marden Group;
- From your agents, advisers, intermediaries, and custodians of your assets;
- From publicly available sources or from third parties, most commonly where we need to conduct background checks about you.

## **The categories of personal data we collect**

We collect the following categories of personal data about you:

- Your name and contact information such as your home or business address, email address and telephone number (where relevant);
- Biographical information which may confirm your identity including your date of birth, tax identification number and your passport number or national identity card details, country of domicile and/or your nationality (where relevant);
- Information relating to your financial situation such as income, expenditure, assets and liabilities, sources of wealth, as well as your bank account details (where relevant);
- Information about your knowledge and experience in the investment field (where relevant);
- An understanding of your goals and objectives in procuring our services (where relevant);
- Information about your employment, education, family, your background or personal circumstances, and interests, where relevant; and
- Information to assess whether you may represent a politically exposed person or money laundering risk.

## **The basis for processing your personal data (other than with your consent), how we use that personal data and whom we share it with**

### **(i) Performance of a contract with you**

We process your personal data because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to enter into a contract.

In this respect, we use your personal data for the following:

- To prepare a proposal for you regarding the services we offer;
- Onboarding/ Know Your Customer purposes;
- To provide you with the services as set out in our Service Agreements with you or as otherwise agreed with you from time to time;
- To deal with any complaints or feedback you may have;
- For any other purpose for which you provide us with your personal data.

In this respect, we may share your personal data with or transfer it to the following:

- Your agents, advisers, intermediaries, and custodians of your assets who you inform us about;
- Third parties whom we engage to assist in delivering the services to you, including other companies in the Marden Group;
- Our professional advisers where it is necessary for us to obtain their advice or assistance, including lawyers, accountants, IT or public relations advisers;
- Other third parties such as intermediaries who we introduce to you. We will wherever possible inform you who they are before we introduce you;
- Our data storage providers

## **(ii) Legitimate interests**

We also process your personal data because it is necessary for our legitimate interests, or sometimes where it is necessary for the legitimate interests of another person.

In this respect, we use your personal data for the following:

- For the administration and management of our business, including recovering money you owe to us, and archiving or statistical analysis;
- Seeking advice on our rights and obligations, such as where we require our own legal advice;

In this respect we will share your personal data with the following:

- Our advisers or agents where it is necessary for us to obtain their advice or assistance;
- With third parties and their advisers where those third parties are acquiring, or considering acquiring, all or part of our business.

## **(iii) Legal obligations**

We also process your personal data for our compliance with a legal obligation which we are under.

In this respect, we will use your personal data for the following:

- To meet our compliance and regulatory obligations, such as compliance with anti-money laundering laws;
- As required by tax authorities or any competent court or legal authority.

In this respect, we will share your personal data with the following:

- Our advisers where it is necessary for us to obtain their advice or assistance;
- Our auditors where it is necessary as part of their auditing functions;
- With third parties who assist us in conducting background checks;
- With relevant regulators or law enforcement agencies where we are required to do so.

## **Marketing**

We will not send you general marketing mailing nor other general information as we consider our services tailor-made unless we believe this might be of interest to you.

## **Transfer and processing of your personal data outside the European Union**

When sharing your personal data with third parties as set out in this Privacy statement, it may be transferred outside the European Union. In these circumstances, your personal data will only be transferred on one of the following bases:

- the country that we send the personal data to is approved by the European Commission as providing an adequate level of protection for personal data;
- the transfer is to a recipient in the United States of America who has registered under the EU/US Privacy Shield;
- the recipient has entered into European Commission standard contractual clauses with us; or
- you have explicitly consented to the same.

## **Security measures taken by Marden Group**

In order to protect your personal data Marden Group has implemented various security measures. Your personal data is contained behind secured networks and is only accessible by a limited number of people, who are required to keep the information confidential.

Please keep in mind that no website or internet transmission is completely secure. Therefore, Marden Group cannot guarantee that unauthorized access, hacking, data loss, or other breaches will never occur. Accordingly, Marden Group has no responsibility or liability for the security of personal information transmitted via our website.

## **Retention of your data**

We will only retain your personal data for as long as we have a lawful reason to do so. In particular:

- where we have collected your personal data as required by anti-money laundering legislation, including for identification, screening and reporting, we will retain that personal data for five years after the termination of our relationship, unless we are required to retain this information by another law or for the purposes of court proceedings; or
- otherwise, we will in most cases retain your personal data for a period of seven years after the termination of our contractual or other relationship with you in case any claims arise out of the provision of our services to you.

## **Questions or comments**

If you have any questions or comments about this document or if you feel that certain issues are not adequately addressed in the privacy statement, please contact us via your regular Marden contact person or via:

Email: [info@marden.nl](mailto:info@marden.nl)

Telephone: +31 70 3081000;

Postal address: Kranenburgweg 135a, 2583 ER The Hague

If you are not satisfied with how we are processing your personal data, you can send an email to [compliance@marden.nl](mailto:compliance@marden.nl). Alternatively, you may consider to file a complaint to the Dutch Data Protection Authority.